

IDAHO BOARD OF OPTOMETRY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 8/19/2019

BOARD MEMBERS PRESENT: Raymond C Goodman, O.D. - Chair
Aaron J Warner, O.D.
Terri L Haley, O.D.
William Von Tagen

BOARD MEMBERS ABSENT: Lance W Fagan, O.D.

BUREAU STAFF: Kelley Packer, Bureau Chief
Dawn Hall, Deputy Bureau Chief
Julie Eavenson, Administrative Support Manager
Marcie Rightnowar, Appeals Hearing Technician
Nicholas Krema, General Counsel
Rob McQuade, Legal Counsel
Eric Nelson, Board Prosecutor
Cesley Metcalfe, Board Specialist

OTHERS PRESENT: Randy Andregg, IOP
Kris Ellis, IOP

The meeting was called to order at 9:30 AM MDT by Raymond C Goodman, OD.

APPROVAL OF MINUTES

The Board requested that some additional information be added to the minutes of July 24, 2019 and be brought back to the Board for review.

Dr. Warner made a motion to approve the minutes of May 8, 2019 and May 13, 2019. It was seconded by Dr. Haley. Motion carried.

EXECUTIVE SESSION

Dr. Warner made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Dr. Haley. The vote was: Dr. Goodman, aye; Dr. Warner, aye; and Dr. Haley, aye. Motion carried.

Dr. Warner made a motion to come out of executive session. It was seconded by Dr. Haley. Motion carried.

Mr. von Tagen joined the meeting at 9:45 AM MDT.

INVESTIGATIVE REPORT

Ms. Rightnowar gave the investigative report, which is linked above.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$78,477.27 as of July 31, 2019.

PROPOSED LAWS AND RULES

Mr. McQuade reviewed the proposed rules with the Board.

Mr. von Tagen made a motion to accept the proposed revisions to IDAPA 24.10.01.300. It was seconded by Dr. Haley. Motion carried.

Dr. Warner made a motion to accept the proposed fee table in IDAPA 24.10.01.575. It was seconded by Mr. von Tagen. Motion carried.

Mr. von Tagen made a motion to adopt the rules as amended to pending. It was seconded by Dr. Warner. Motion carried.

Mr. McQuade stated that the Board's legislative draft for the rewrite of its Act was submitted to the Governor's Office prior to the deadline.

BOARD CONTRACT

Mr. Crema and Ms. Hall presented the 2020 fiscal year Board Contract. Dr. Haley made a motion to approve the contract and to allow the Board chair to sign on behalf of the Board. It was seconded by Dr. Warner. Motion carried.

BOARD MEETING PROCEDURES TRAINING

Mr. Crema presented training regarding Board meeting procedures.

OLD BUSINESS

The Board reviewed the To Do List and asked the Bureau to consolidate a few items.

NEW BUSINESS

PUBLIC COMMENT

Kris Ellis expressed her appreciation to the Board for all of its hard work. Dr. Warner expressed his appreciation for the Idaho Optometric Physicians' assistance with the rewrite of the Board's Act.

CONFERENCE UPDATES AND ATTENDANCE

Ms. Metcalfe and Dr. Haley gave an update on topics covered at the Association of Regulatory Boards of Optometry (ARBO) 2019 Annual Meeting. Ms. Metcalfe stated that the Board may wish to review the verbiage in its administrative rule that outlines the exam content required for licensure in Idaho. Ms. Metcalfe also stated that The National Board of Examiners in Optometry (NBEO) is restructuring Part III of the Examination and expects the update to take three to five years. The Laser and Surgical Procedures Examinations administered by NBEO began in early August. Applicants have the option to take both the laser and surgical exams, or to take just one exam. Ms. Metcalfe further stated that not all optometry schools have included laser procedures in their curriculum, and that this exclusion from the curriculum is not currently a violation of the accreditation requirements of the Accreditation Council on Optometric Education (ACOE). Finally, Ms. Metcalfe notified the Board that the annual ARBO dues will be increasing by \$100.00.

Dr. Haley stated that there was a recommendation by the ARBO legal counsel to clarify term limits for board members of all regulatory boards, and to keep an emphasis on the responsibility of boards to remain focused on protecting the public. Dr. Haley also stated that there was a big push to do 100 percent annual continuing education audits. Dr. Haley further stated that she found the information presented at the meeting very useful and believes the Board would benefit from consistency in who attends the annual meeting.

CORRESPONDENCE

The Board reviewed the report of actions taken by the Accreditation Council on Optometric Education at its annual meeting. No action was taken.

BOARD ELECTIONS

Dr. Haley made a motion to nominate Dr. Warner as the Board chair. It was seconded by Mr. von Tagen. Motion carried.

Dr. Warner made a motion to nominate Dr. Haley as the Board secretary. It was seconded by Mr. von Tagen. Motion carried.

EXECUTIVE SESSION

Dr. Haley made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Dr. Warner. The vote was: Dr. Goodman, aye; Dr. Warner, aye; Dr. Haley, aye; and Mr. von Tagen, aye. Motion carried.

Dr. Warner made a motion to come out of executive session. It was seconded by Dr. Haley. Motion carried.

The Board directed Bureau staff to send a letter to two licensees regarding their continuing education audits.

NEXT MEETING was scheduled for November 25, 2019 at 9:30 AM MST. Additional meetings were scheduled for February 24, 2020 at 9:30 AM MST and May 18, 2020 at 9:30 MDT.

ADJOURNMENT

Mr. von Tagen made a motion to adjourn the meeting at 12:01 PM MDT. It was seconded by Dr. Haley. Motion carried.

Raymond C Goodman, O.D., Chair

Aaron J Warner, O.D.

Lance W Fagan, O.D.

Terri L Haley, O.D.

William von Tagen

Kelley Packer, Bureau Chief